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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------------|
| 10/690,440 | 10/20/2003 | Jan-Ming Ho | 78438-244400 | 3700 |
| 44920 | 7590 | 09/20/2007 | | |
| Venable LLP Raymond J. Ho 575 7th Street NW Washington, DC 20004-1601 | | | EXAMINER IBRAHIM, MOHAMED | |
| | | | ART UNIT 2144 | PAPER NUMBER |
| | | | MAIL DATE 09/20/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/690,440

Applicant(s)

HO ET AL.

Examiner

Mohamed Ibrahim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --⁹

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Karagiannis et al. (Karag), U. S. Application Publication No. 2003/0018810 A1.

Regarding claim 1, Karag discloses a mobile network agent to allow a mobile device to connect with home network of said mobile device through a foreign network, wherein said home network and said foreign network are connectable to each other (see e.g. paragraph [0006], [0009]; the system provides a mechanism for a mobile node, that is away, to connect to its home network via foreign network with a seamless handoff), comprising: a mobile device identification module to grasp authentication information transmitted between said mobile device and said home network system to obtain identification information of said mobile device (see e.g. paragraphs [0070]-[0071]; a procedure for the mobile node to identify and register is provided); an information packet transmission module to receive and to transmit information packets that said

mobile device receives and transmits, respectively, through said foreign network (see e.g. paragraph [0045] and [0061]; information in data packets are sent to and from different network and to/from mobile node); a mobile network agent connection module to establish a communication channel between said mobile network agent and another mobile network agent (see e.g. paragraph [0012] and [0038]; communication channel exists between both foreign network and home network as well as the mobile node itself); a handoff processing module to obtain address information of the mobile device as registered with a foreign network previously connected with said mobile device and to send a renew information to said previously connected foreign network, when said mobile device requests to log in (see e.g. paragraphs [0076]-[0077]; seamless handoff mechanism is used to downstream data packets); and an IP collision resolution module to separate information packets to and from mobile devices that are connected to said mobile network agent and have identical IP address or account identity or information flow to and from a mobile device that is connected to said mobile network agent and has an IP address or account identity identical with that of another mobile device or computer equipment (see e.g. paragraphs [0062]-[0063]; the system provides address resolution mechanism through address discovery mechanism such as Ethernet address resolution).

Regarding claim 2, Karag discloses wherein said mobile device identification module is actuated when said mobile device requests to connect with said mobile network agent (see e.g. paragraph [0010]; mobile node sends request to foreign network agent).

Regarding claim 3, Karag discloses wherein said mobile device identification module identifies identification of said mobile device when said mobile device establishes connection with the VPN server of said home network (see e.g. paragraphs [0115]-[0116]).

Regarding claim 4, Karag discloses wherein said mobile device identification module obtain identification information of said mobile device by requesting said identification information to home network of said mobile device (see e.g. paragraph [0044]).

Regarding claim 5, Karag discloses wherein said information packets are transmitted between said mobile network agent and another mobile network agent provided in said home network (see e.g. paragraphs [0012] and [0038]).

Regarding claim 6, Karag discloses wherein information packets transmitted between said mobile network agent and said other mobile network agent through a mobile IP tunnel (see e.g. paragraphs [0040]-[0041] and [0048]).

Regarding claim 7, Karag discloses wherein said handoff processing module is actuated by the DHCP request or DHCP discover signal of said mobile device (see e.g. paragraph [0048] and [0084]).

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Regarding claim 8, Karag discloses wherein said handoff processing module transmits said DHCP request or DHCP discover signal to a network system that is in connection with said mobile device to renew IP authorization given to said mobile device by said network system (see e.g. paragraph [0048]).

Regarding claim 9, Karag discloses wherein said IP collision resolution module generates different identification codes and attaches said codes to to and from different mobile devices with identical IP or mobile device and other computer equipments with identical IP to separate information flows (see e.g. paragraphs [0010] and [0051]).

Regarding claim 10, Karag discloses wherein said identification code is a VLAN (virtual local area network) tag (see e.g. paragraphs [0050] and [0052]).

Regarding claim 11, Karag discloses wherein said identification code is added to information packets generated by said mobile device (see e.g. paragraph [0071]).

Regarding claim 12, Karag discloses wherein said identification code is added to information packets designated to said mobile device (see e.g. paragraph [0094]).

Response to Arguments

3. Applicant's arguments filed 07/03/2007 have been fully considered but they are not persuasive.

4. In substance, Applicant Argues,
 - a. Karag does not teach automatically identifying IP address of mobile device.
 - b. Karag gives new IP address to a mobile device whenever it moves.

In response to Applicant's argument,

With regard to Applicant argument that Karag does not teach automatically identifying IP address of mobile device. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., automatically recognize IP address) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Nonetheless, Karag teaches the identifying the IP address of a network node while either in its home network or away in a foreign network (see e.g. paragraphs [0006], [0070] and [0071]). Therefore, Karag still meets the scope of the claim limitations as currently claimed.

With regard to Applicant's argument that Karag gives new IP address to a mobile device whenever it moves, Examiner respectfully disagrees. Firstly, the Applicant claim do not mention assigning same IP address to a mobile device that is on the move regardless of its range or association with a foreign networks. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., assigning same IP address to a

moving mobile device) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). However, Karag still teaches maintaining same care-of address for a mobile node that moves from one foreign agent to another depending on the regions (see e.g. paragraph [0078]). Moreover Karag is directed to Mobile networking particularly Mobile IP and one of the essentials of the mobile IP is the fact that it allows the mobile device to retain the same IP address regardless of the particular network or sub-network (see paragraph [0005]) Therefore, Karag still reads on the scope of the claim language as presently recited.

Applicant employs broad language, which includes the use of word, and phrases, which have broad meanings in the art. In addition, Applicant has not argued any narrower interpretation of the claim language, nor amended the claims significantly enough to construe a narrower meaning to the limitations. As the claims breadth allows multiple interpretations and meanings, which are broader than Applicant's disclosure, the Examiner is forced to interpret the claim limitations as broadly and as reasonably possible, in determining patentability of the disclosed invention. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.1993).

Applicant has had an opportunity to amend the claimed subject matter, and has failed to modify the claim language to distinguish over the prior art of record by clarifying or substantially narrowing the claim language. Thus, Applicant apparently intends that a

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broad interpretation be given to the claims and the Examiner has adopted such in the present and previous Office action rejections. See *In re Prater and Wei*, 162 USPQ 541 (CCPA 1969), and MPEP 2111.

Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response, and reiterates the need for the Applicant to more clearly and distinctly defines the claimed invention.

Prior Art of Record

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a list of relevant prior art.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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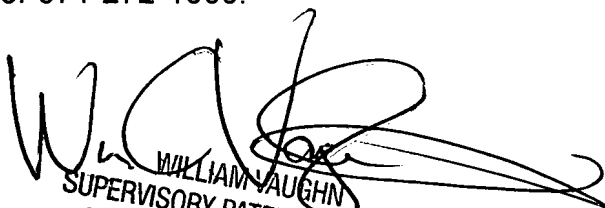
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohamed Ibrahim whose telephone number is 571-270-1132. The examiner can normally be reached on Monday through Friday from 7:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn, Jr. can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

IMV *mg*


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